



REPUBLIC OF KENYA



KENYA LAW
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**In re Application for Declaratory Orders Regarding the Identity of Patience
Gatwiri Wanja alias Patience Gatwiri alias Patience Gatwiri Oduori (Miscellaneous
Application E027 of 2025) [2025] KEHC 11638 (KLR) (29 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 11638 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
MISCELLANEOUS APPLICATION E027 OF 2025**

HM NYAGA, J

JULY 29, 2025

**IN THE MATTER OF AN APPLICATION FOR DECLARATORY ORDERS
REGARDING THE IDENTITY OF PATIENCE GATWIRI WANJA
ALIAS PATIENCE GATWIRI ALIAS PATIENCE GATWIRI ODUORI**

**IN THE MATTER OF
PATIENCE GATWIRI WANJA ALIAS PATIENCE GATWIRI ALIAS PATIENCE
GATWIRI ODUORI APPLICANT**

RULING

1. The applicant moved the court vide an application dated 12th March, 2025 in which she sought the following orders:-
 - a. Spent
 - b. A declaration that the applicant's name "Patience Gatwiri Wanja" as stated in the initial certificate of births of serial number XXXXXXXX, "Patience Gatwiri" as stated in the second certificate of birth of Serial number XXXXXXXX and Patience Gatwiri Oduori" as stated in the applicant's National Identification card Number XXXXXXXX and passport Card number BK XXXXXXX be deemed to be one and the same person.
 - c. The declaration herein be deemed sufficient proof for purpose of any official documentation, including the visa application process at the National Visa Centre and the United States Embassy.
2. The application is supported by the grounds set out on its face and the applicants affidavit sworn on even date.
3. In a nutshell, the applicant states that she bears two certificates of birth namely:-



- a. Certificate No. XXXXXXXX issued on 28th September, 2023 at Malindi bearing the names Patience Gatwiri Wanja.
 - b. Certificate No. XXXXXXXX issued in Meru on 31st July, 2018 bearing the names Patience Gatwiri.
4. In both certificates, the father is indicated as one Constantine Joakim Oduori and the mother as one Glory Makena Mwebia.
 5. The applicant explains that her Identity Card No. XXXXXXXX and her passport No. BK XXXXXXXX shows her name as Patence Gatwiri Oduori, reflecting her father's name, while her certificate of birth's do not bear that last name.
 6. The court directed the applicant to first exhaust the process set out under the *Births and Deaths Registration Act*, Cap 149 Laws of Kenya. She then filed a further affidavit sworn on 4th July, 2025, explaining the steps she had taken to comply with the court's directions.
 7. The applicant filed a letter from the State Department of Interior and Citizen Services dated 10th June, 2025, whose contents were to the effect that the records for certificate of Birth No. XXXXXXXX and Entry No. LXXXXXXXXXX could not be traced and she was referred to the District Registry.
 8. The applicant also filed a letter from the County Civil Registry Meru Central, dated 24th June, 2025 which was to the effect that the certificate of Birth under Entry Number XXXXXXXXXXXX was in the name of Patience Gatwiri born on 18th November, 2005. The parents name remain unchanged.
 9. I have considered the matter. It is not in doubt that the applicant's identity card No. XXXXXXXX and passport No. BKXXXXXXXX refer to the applicant using the three names which include her father's name "Oduori".
 10. Therefore, I am satisfied that there is nothing untoward in the application before court. The applicant should not be prejudiced for using her father's name even if it was not included in her birth certificate.
 11. As regards the certificate of Birth registered as entry No. 0140514532, there was no input from the Registrar of Birth and Deaths. In any case it was issued after the earlier certificate issued at Meru. I will thus not make any orders regarding it.

Disposition

12. I therefore allow the application and a make finding that the name Patience Gatwiri and the name Patience Gatwiri Oduori do refer to the same person, the applicant herein.
13. It is so ordered.

DATED, SIGNED AND DELIVERED AT MERU THIS 29TH DAY OF JULY, 2025.

**H. M. NYAGA,
JUDGE.**

